

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
January 23, 2006 (cont'd)**

Court reconvened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California, 92701. Panel members are O'Leary, Acting P. J., Moore, J., and Ikola, J. Antoinette Cajigal, Deputy Clerk attending.

G035174     DANNY RODRIGUEZ  
              v.  
              PERSONNEL BOARD OF CITY OF Santa Ana, CA

Merits. Cause called. Marla B. Hendrickson argued for appellant. Denah H. Hoard argued for respondent. Cause submitted.

G034594     SWITCHBOARD INC.  
              v.  
              WEBCASTINGTV, INC.

Merits. Cause called. James Toledano argued for appellant. William G. Zimmerman argued for respondent. Cause submitted.

G034692     CHERYL RUHMAN  
              v.  
              ROBERT RUHMAN

Merits. Cause called. Valerie R. Hosford argued for appellant. Michael L. Michel argued for respondent. Cause submitted.

G035923     CHARLES BENNINGHOFF  
              v.  
              SUPERIOR COURT; STATE BAR OF CALIFORNIA

Merits. Cause called. James S. Link argued for petitioner. Mark Torres-Gil argued for real party in interest. Cause submitted.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
January 23, 2006 (cont'd)**

G034425     MARTHA CHURCH ET AL.  
                 v.  
                 SMART & PERRY ET AL.

Merits. Cause called. Jayesh Patel argued for appellants, Neuland, Norberg & Andrews. Cindy A. Shapiro argued for appellants, Smart & Perry et al. Stephan S. Cohn argued for appellants, Egon Van Den Berg et al. M. Peter Crinella argued for respondents. Cause submitted.

G033827     BUFFALO INVESTMENTS CO. ET AL.  
                 v.  
                 ASL INVESTMENTS ET AL.

Merits. Cause called. Herbert N. Niermann argued for appellant Mike Rafipoor and appellant Adrian Labi argued in propria persona. Donald J. Hamman argued for respondents. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
January 23, 2006 (cont'd)**

Court reconvened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California, 92701. Panel members are Sills, P. J., Rylaarsdam, J., and Fybel, J. Antoinette Cajigal, Deputy Clerk attending.

G035413     STANISLAV VANDURA ET AL.  
              v.  
              RALPH GROCERY COMPANY ET AL.

Merits. Cause called. Michael A. Lotta argued for appellants. Ravi Sudan argued for respondents. Cause submitted.

G034883     RONALD R. PEACE  
              v.  
              ROBIN L. MARCARIO

Merits. Cause called. Dirk V. Tatenhove argued for appellant. William C. Price argued for respondent. Cause submitted.

G035388     JASON BEARDO  
              v.  
              L.P. FERRELLGAS

Merits. Cause called. Paul S. White argued for appellant. David Brand argued for respondent. Cause submitted.

G034403     MICHAEL JACOBS  
              v.  
              TONY RACKAUCKAS ET AL.

Merits. Cause called. Gary S. Bennett argued for appellant. Norman J. Watkins argued for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
January 23, 2006 (cont'd)**

G034824     THE PEOPLE  
              v.  
              JASON MATTHEW LAPAN

Order filed. The above entitled cause is ordered submitted this date.  
Sills, P.J.

G034725     THE PEOPLE  
              v.  
              JULIO VALENZUELA

Order filed. The above entitled cause is ordered submitted this date.  
Sills, P.J.

G034457     THE PEOPLE  
              v.  
              JORGE GARCIA MORENO

Order filed. The above entitled cause is ordered submitted this date.  
Sills, P.J.

G034767     THE PEOPLE  
              v.  
              ROBERT EDWARD LEE

Order filed. The above entitled cause is ordered submitted this date.  
Sills, P.J.

G035196     THE PEOPLE  
              v.  
              JACOB R.

Order filed. The above entitled cause is ordered submitted this date.  
Sills, P.J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
January 23, 2006 (cont'd)**

G034370 THE PEOPLE  
v.  
CARLOS ALFREDO DIAZ

Order filed. The above entitled cause is ordered submitted this date.  
Sills, P.J.

G036340 CALLAHAN AND BLAINE ET AL.  
G036488 v.  
CHARLENE TACKABERRY

Order filed. Case number G036340 is consolidated with case number G036488  
for all purposes.

Sills, P.J.

G035085 THE PEOPLE  
v.  
OSCAR JUVENAL OCHOA

Order filed. The above entitled cause is ordered submitted this date.  
Sills, P.J.

G035025 THE PEOPLE  
v.  
ANGELIQUE O.

Order filed. The above entitled cause is ordered submitted this date.  
Sills, P.J.

G035462 THE PEOPLE  
v.  
ARTURO C.

Order filed. The above entitled cause is ordered submitted this date.  
Sills, P.J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
January 23, 2006 (cont'd)**

G034873     THE PEOPLE  
              v.  
              GONZALO ROMERO

Order filed. The above entitled cause is ordered submitted this date.  
Sills, P.J.

G034720     THE PEOPLE  
              v.  
              CARLOS RUBEN CAZELLY

Order filed. The above entitled cause is ordered submitted this date.  
Sills, P.J.

G035093     THE PEOPLE  
              v.  
              HO HAI NGUYEN

Order filed. The above entitled cause is ordered submitted this date.  
Sills, P.J.

G034568     THE PEOPLE  
              v.  
              STEVEN CELINA DELTORO

Order filed. The above entitled cause is ordered submitted this date.  
Sills, P.J.

G034171     THE PEOPLE  
              v.  
              GRANT CHRISTOPHER PROUTY

Order filed. The above entitled cause is ordered submitted this date.  
Sills, P.J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
January 23, 2006 (cont'd)**

G034934	THE PEOPLE v. LISIATE T.  Opinion filed. Judgment affirmed.  We concur: Sills, P.J. Fybel, J.	Not for publication     Bedsworth, J.
G035466	ORANGE COUNTY SOCIAL SERVICES AGENCY v. ROBYN D. et al.  Opinion filed. Affirmed in part, reversed in part with directions, and dismissed in part.  We concur: Moore, J. Ikola, J.	Not for publication     O’Leary, Acting P.J.
G035573	ORANGE COUNTY SOCIAL SERVICES AGENCY v. BELINDA Z.  Opinion filed. The motion to dismiss the appeal is granted.  We concur: Bedsworth, Acting P.J. Fybel, J.	Not for publication     Moore, J.
G035967	ORANGE COUNTY SOCIAL SERVICES AGENCY v. THE SUPERIOR COURT OF ORANGE COUNTY; MIGUEL M. et al.  Opinion filed. Before Rylaarsdam, Acting P.J., O’Leary, J., and Ikola, J.	Not for publication     By the court

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
January 24, 2006**

Court reconvened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California, 92701. Panel members are Bedsworth, Acting P.J., Moore, J. and Ikola, J. Antoinette Cajigal, Deputy Clerk attending.

G034265     THE PEOPLE  
              v.  
              ERNESTO A. MUNOZ

Merits. Cause called. Kristen Erikson argued for appellant. Annie Fraser, Deputy Attorney General argued for respondent. Cause submitted.

G035289     THE PEOPLE  
              v.  
              WILLIAM D. SMITH

Merits. Cause called. Richard L. Schwartzberg argued for appellant. Robert Foster, Deputy Attorney General argued for respondent. Cause submitted.

G035189     JEANNE R. SOPP  
              v.  
              TOM LAZZARA ET AL.

Merits. Cause called. Andrew D. Weiss argued for appellant. Stanley D. Bowman argued for respondent. Cause submitted.

G034265     THE PEOPLE  
              v.  
              RODNEY TIA

Merits. Cause called. Brent D. Riggs argued for appellant. Robert Foster, Deputy Attorney General argued for respondent. Cause submitted.

Court declared a recess.



**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
January 24, 2006 (cont'd)**

G035495     THE PEOPLE  
              v.  
              ROBERT MUNOZ

Order filed. The above entitled cause is ordered submitted this date.  
Sills, P.J.

G036081     CHRISTOPHER D.  
              v.  
              THE SUPERIOR COURT OF  
              CALIFORNIA, COUNTY OF  
              ORANGE;  
              ORANGE COUNTY SOCIAL  
              SERVICES AGENCY, et al.

Order filed. The petition for rehearing is denied.

Moore, J.

We concur: Rylaarsdam, Acting P.J.  
              Ikola, J.

G034998     THE PEOPLE  
              v.  
              MARK ARRINGTON

Order filed. The above entitled cause is ordered submitted this date.  
Sills, P.J.

G033210     THE PEOPLE  
              v.  
              JONATHAN Y.

Not for publication

Opinion filed. The orders under review are reversed and the cause is remanded  
for a new disposition hearing consistent with this opinion.

Opinion filed.

By the court.

Before Sills, P.J., O'Leary, J., and Ikola, J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
January 24, 2006 (cont'd)**

G034099	THE PEOPLE v. JULIO CESAR HERNANDEZ  Opinion filed. Judgment affirmed as modified.  We concur: Bedsworth, Acting P.J. Moore, J.	Not for publication     Ikola, J.
G034277	THE PEOPLE v. VLADIMIR RAMIREZ  Opinion filed. Judgment affirmed.  We concur: Bedsworth, J. Aronson, J.	Not for publication     Sills, P.J.
G034304	THE PEOPLE v. JEFFREY DALE ALBURY  Opinion filed. Judgment affirmed.  We concur: O'Leary, Acting P.J. Ikola, J.	Not for publication     Moore, J.
G034970	JEAN M. HAGEDORN v. GERALD A. GATES  Opinion filed. Judgment reversed and remanded with directions.  We concur: Sills, P.J. Bedsworth, J.	Not for publication     Fybel, J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
January 25, 2006**

G034395     THE PEOPLE  
              v.  
              JOHN J.C. STEPHENS

Order filed. Submission of the above matter is hereby vacated and the cause resubmitted as of this date for the period allowed by law, in order to allow for the preparation of a separate opinion.

Bedsworth, J.

We concur:    Aronson, J.  
                      Fybel, J.

G032825     THE PEOPLE OF THE  
G033844     STATE OF CALIFORNIA  
              v.  
              BINH THANH LUONG

Order filed. Submission of the above matter is hereby vacated and the cause resubmitted as of this date for the period allowed by law. The issues raised require additional time to consider the current version of the opinion.

Sills, P.J.

We concur:    O’Leary, J.  
                      Aronson, J.

G035219     THE PEOPLE  
G035220     v.  
              TIFFANY MICHELLE SUMMERS

Order filed. The above entitled cause is ordered submitted this date.

Sills, P.J.

G035782     THE PEOPLE  
              v.  
              MICHAEL RICHARD FONSECA

Order filed. The above entitled cause is ordered submitted this date.

Sills, P.J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
January 25, 2006 (cont'd)**

G034371	ROBERT ROBINSON v. SOUTH PACIFIC HOMES	Not for publication
	Opinion filed. Judgment affirmed as modified.	
	We concur: O'Leary, J. Rylaarsdam, Acting P.J.	Ikola, J.
G034417	THE PEOPLE v. FREDDY JOSEPH DIAZ	Not for publication
	Opinion filed. Judgment affirmed in part and reversed in part.	
	We concur: Sills, P.J. Aronson, J.	Bedsworth, J.
G034699	THE PEOPLE v. CHUONG D.	Certified for publication
	Opinion filed. Judgment affirmed.	
	We concur: Aronson, J. Sills, P.J.	Bedsworth, J.
G034907	THE PEOPLE v. HERMAN HENDERSON	Not for publication
	Opinion filed. The judgment is affirmed with directions.	
	We concur: Sills, P.J. Rylaarsdam, J.	Bedsworth, J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
January 25, 2006 (cont'd)**

G035145 THE PEOPLE

Not for publication

v.

NICOLE MARIE MCCANN

Opinion filed. Judgment affirmed as modified,

By the court

Before Sills, P.J., Rylaarsdam, J. and Aronson, J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
January 26, 2006**

G033029	THE PEOPLE v. JOSE ALFREDO AMAYA  Opinion filed. Judgment affirmed as modified.  We concur: Moore, J. Ikola, J.	Not for publication     Rylaarsdam, Acting P.J.
G033663	ROCHELLE JONES et al. v. CITIGROUP INC. et al.  Opinion filed. Judgment reversed and remanded.  We concur: Bedsworth, J. Moore, J.	Certified for publication     Rylaarsdam, Acting P.J.
G034675	VIRGINIA NEVITT v. JAMES NEVITT  Opinion filed. Judgment affirmed.  We concur: O’Leary, J. Ikola, J.	Not for publication     Rylaarsdam, Acting P.J.
G034791	THE PEOPLE v. ROBERT H.	Not for publication
G035637	<hr style="width: 30%; margin-left: 0;"/> <div>In re ROBERT H., a Minor On Habeas Corpus  Opinion filed. Judgment affirmed. The writ is denied.  We concur: Rylaarsdam, Acting P.J. Moore, J.</div>	       O’Leary, J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
January 26, 2006 (cont'd)**

G034985	THE PEOPLE v. RODOLFO GALENO AGUILAR	Not for publication
	Opinion filed. Judgment affirmed in part and reversed in part. Rylaarsdam, Acting P.J.	
	We concur: O'Leary, J. Ikola, J.	
G035043	THE PEOPLE v. WILLIAM CHARLES BATEHAM	Not for publication
	Opinion filed. Judgment affirmed as modified. Fybel, J.	
	We concur: Sills, P.J. Aronson, J.	
G035063	HOWARD DENVER MORRIS, JR., et al. v. ALLSTATE INSURANCE COMPANY et al.	Not for publication
	Opinion filed. Judgment affirmed. Moore, J.	
	Bedsworth, Acting P.J. O'Leary J.	
G035189	JEANNE R. SOPP v. RONALD DA SILVA, etc., et al.	Not for publication
	Opinion filed. Judgment reversed and remanded with directions. Bedsworth, Acting P.J.	
	We concur: Moore, J. Ikola, J.	

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
January 26, 2006 (cont'd)**

G035380      COUNTY OF ORANGE  
                 v.  
                 LINCOLN GENERAL  
                 INSURANCE COMPANY

Not for publication

Opinion filed. Judgment reversed.

O'Leary, Acting P.J.

We concur: Moore, J.  
                 Ikola, J.



**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
January 27, 2006**

G034966	PAUL JAMES O'NEILL v. THE ROMAN CATHOLIC BISHOP OF ORANGE	
	Order filed. Request for publication is denied.	Sills, P.J.
	We concur: O'Leary, J. Aronson, J.	
G034068	THE PEOPLE v. ROBERT STEVEN JONELIS	Not for publication
	Opinion filed. Judgment affirmed	Sills, P.J.
	We concur: Bedsowrth, J. Aronson, J.	
G034241	THE PEOPLE v. MARTIN MONDRAGON SIFUENTES	Not for publication
	Opinion filed. Judgment affirmed.	Sills, P.J.
	We concur: Bedsworth, J. Aronons, J.	
G034594	SWITCHBOARD INCORPORATED v. WEBCASTING, INC.	Not for publication
	Opinion filed. Judgment affirmed.	Ikola, J.
	We concur: O'Leary, Acting P.J. Moore, J.	

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
January 27, 2006 (cont'd)**

G035064 THE PEOPLE

Not for publication

v.

MICHAEL J. MRSKOS

Opinion filed. Judgment affirmed.

Moore, J.

We concur: O'Leary, Acting P.J.  
Ikola, J.